THE HON'BLE SRI JUSTICE ELIPE DHARMA RAO

WRIT PETITION No.17007 of 2005

Between:

Smt.Vasadi Satyavamma and others

.. Petitioners

and

The District Collector and others

.. Respondents

THE HON'BLE SRI JUSTICE ELIPE DHARMA RAO

WRIT PETITION No.17007 of 2005

O R D E R:

This writ petition is filed to declare the action of the respondents in dispossessing the petitioners from the land in Sy.No.5 of Makavaram village, Ankapalli mandal, Visakhapatnam district without following due process of law, as illegal, arbitrary and consequently direct the respondents not to interfere with their peaceful possession and enjoyment of the land.

The case of the petitioners is that they are the absolute owners of the land in an extent of Ac.0.41 cents, Ac.1.20 cents, Ac.0.35 cents and Ac.0.42 cents respectively

in Sy.No.5 of Makavaram village, Ankapalli mandal, Visakhapatnam district. They are in peaceful possession and enjoyment of the above said lands for the last 80 years. While so, on 18.06.2005, the officials of the respondents inspected the lands of the petitioners and tried to dispossess them from the lands without assigning any reasons and without issuing any prior notice. Hence, this writ petition

Heard the learned counsel for the petitioners and the learned Government Pleader for Revenue.

The grievance of the petitioners is that the respondents visited their lands and tried to dispossess them from the same without issuing any prior notice.

In that view of the matter, without expressing any opinion on merits, I deem it appropriate to direct the respondents to proceed against the petitioners only after issuing notice and after following due process of law.

With the above said direction, the writ petition is disposed of at the stage of admission. There shall be no order as to costs.

02.08.2005

kdl